

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Finding on Petition and Initiation of Status Review**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of petition finding and status review.

**SUMMARY:** The Service announces a 90-day finding on a petition to reclassify the chimpanzee from threatened to endangered. Status reviews are initiated both for the chimpanzee and the pygmy chimpanzee.

**DATES:** The finding announced herein was made on February 4, 1988. Comments and information may be submitted until July 21, 1988.

**ADDRESSES:** Comments, information, and questions should be submitted to the Chief, Office of Scientific Authority, Mail Stop: 527, Matomic Building, U.S. Fish and Wildlife Service, Washington, DC 20240. The petition, finding, supporting data, and comments will be available for public inspection, by appointment, from 8:00 a.m. to 4:00 p.m., Monday through Friday, in Room 537, 1717 H Street NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dr. Charles W. Dane at the above address (202-653-5948 or FTS 653-5948).

**SUPPLEMENTARY INFORMATION:** Section 4(b)(3) of the Endangered Species Act, as amended in 1982, requires that within 90 days of a petition to list, delist, or reclassify a species, or to revise a critical habitat designation, a finding be made on whether the petition presents substantial information indicating that the action may be warranted, and that such a finding be promptly published in the *Federal Register*. If the finding is positive, section 4(b)(3) also requires

prompt commencement of a review of the status of the involved species. The Service now announces a 90-day finding on a recently received petition.

The petition was submitted jointly by the Humane Society of the United States, the World Wildlife Fund, and the Jane Goodall Institute. It is dated November 4, 1987, and was received by the Service on that same date. It requests that the classification of the chimpanzee (*Pan troglodytes*) on the List of Endangered and Threatened Wildlife be changed from threatened to endangered. The petition indicates that the status of the chimpanzee has deteriorated substantially since the species was originally classified as threatened in 1976. Problems are said to include massive habitat destruction, fragmentation of populations and associated vulnerability to disease, excessive hunting and capture by people, and lack of effective national and international controls. International trade in chimpanzee infants for the biomedical market is also considered to have a significant impact on the species in the wild.

The Service has examined the petition and has found it to present substantial information indicating that the requested action may be warranted. Therefore, a review of the status of the chimpanzee is initiated herewith. The Service also initiates a status review of the pygmy chimpanzee (*Pan paniscus*). The latter species is a close relative of the chimpanzee, also occurs in the tropical forests of Africa, and may be subject to the same kinds of problems. Although both species were covered by a 5-year notice of review issued in the *Federal Register* of July 7, 1987 (52 FR 25522-25528), the comment period for that review has expired. New comments and information from all interested parties are now invited and should be submitted to the address given above.

A decision to reclassify the chimpanzee and/or the pygmy chimpanzee as endangered would remove the applicability of the special rule for primates (50 CFR 17.40(c)) to these chimpanzee species. Therefore, the Service would be interested in comments as to what, if any, effect the removal of present trade exemptions might indirectly have on the wild populations of these chimpanzees. If the reclassification were warranted but removal of special rule might impact the wild population, the Service would consider alternative procedures to alleviate restrictions adversely affecting the wild populations.

The Service will consider the comments received, along with all other

available data, in making a finding, required by section 4(b)(3) within 12 months after receipt of a petition presenting substantial information, as to whether the requested action is warranted, not warranted, or warranted but precluded by other listing activity.

**Author:** Ron Nowak, Office of Scientific Authority, U.S. Fish and Wildlife Service, Washington, DC 20240 (202-653-5948 or FTS 653-5948).

**Authority:** 16 U.S.C. 1531 *et seq.*; Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted.

#### **List of Subjects in 50 CFR Part 17**

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture), Imports, Exports.

Dated: March 17, 1988.

**Susan Recce,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 88-6368 Filed 3-22-88; 8:45 am]

**BILLING CODE 4310-55-M**

**ACTION:** Notice of receipt of a petition.

**SUMMARY:** NMFS has received a petition from GreenWorld to designate critical habitat for the right whale (*Eubalaena glacialis*) in two areas along the Atlantic coast.

**FOR FURTHER INFORMATION:** Robert C. Ziobro, Protected Species Management Division, Office of Protected Resources and Habitat Programs, National Marine Fisheries Service, U.S. Department of Commerce, Washington, DC 20235, (202/673-5348).

**SUPPLEMENTARY INFORMATION:** On January 4, 1988, NMFS received a petition from GreenWorld requesting that areas along the outer arm of Cape Cod and areas off the southern Georgia/northern Florida coast be designated as critical habitat for the western Atlantic population of the Right whale. The Service is reviewing the petition and will make a determination in accordance with the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) and the Administrative Procedures Act (5 U.S.C. 553(e)).

Dated: March 18, 1988.

Nancy Foster,

Director, Office of Protected Resources, and  
Habitat Programs, National Marine Fisheries  
Service.

[FR Doc. 88-6363 Filed 3-22-88; 8:45 am]

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**National Oceanic and Atmospheric  
Administration**

**Listing of Endangered and Threatened  
Species and Designating Critical  
Habitat; Petition for the Designation of  
Critical Habitat for the Right Whale**

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**AGENCY:** National Marine Fisheries  
Service (NMFS), NOAA, Commerce.